

NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* 1st as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Arizona Administrative Register* after the final rules have been submitted for filing and publication.

NOTICE OF FINAL RULEMAKING

TITLE 7. EDUCATION

CHAPTER 1. STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA

PREAMBLE

1. **Sections Affected:** R7-1-705
Rulemaking Action: Repeal
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statutes: A.R.S. §§ 15-1425.1 and 15-1425.4
Implementing statutes: A.R.S. §§ 15-1425.1 and 15-1425.4
3. **The effective date of the rules:**
October 16, 1996
4. **A list of all previous notices appearing in the Register addressing the final rule:**
Notice of Proposed Rulemaking:
2 A.A.R. 3003, May 31, 1996
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Thomas J. Saad
Address: State Board of Education for Community Colleges of Arizona
3225 North Central Avenue, Suite 1220
Phoenix, Arizona
Telephone: (602) 255-4037
Fax: (602) 279-3464
6. **An explanation of the rule, including the agency's reasons for initiating the rule:**
The rule states that community college districts are responsible to establish policies for employment, salaries, and leave. Establishes certification standards for instructors and standards for staffing of libraries. The rule is being repealed because the state board does not have statutory authority over hiring, firing, or compensation of community college personnel.
7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Repeal of the rule will remove any ambiguity concerning a district's authority in the area of employment and compensation and responsibility for employment standards.
8. **The summary of the economic, small business, and consumer impact:**
Repeal of the rule will not have any impact on small business or consumers.
9. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**
No changes. The rule is being repealed in its entirety.
10. **A summary of the principal comments and the agency response to them:**
No comments were received.
11. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
None.
12. **Incorporations by reference and their location in the rules:**
None.
13. **Was this rule previously adopted as an emergency rule?**
No.

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14. The full text of the rules follows:

TITLE 7. EDUCATION

CHAPTER 1. STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA

ARTICLE 7. INSTRUCTION, FACULTY, AND STAFF

R7-1-705. ~~Employment Standards by Districts; Professional Staffing Standards; Instructors; Librarians; Others~~

ARTICLE 7. INSTRUCTION, FACULTY, AND STAFF

R7-1-705. ~~Employment Standards by Districts Professional Staffing Standards; Instructors; Librarians; Others~~

- A. ~~Salaries—The district governing board shall establish salaries for all district college personnel.~~
- B. ~~Personal leaves—District governing boards shall establish policies permitting leaves of absence, sick leaves, and vacations for all district college personnel.~~
- C. ~~Employment and retention—District governing boards shall establish employment policies which protect personnel from unreasonable dismissal and the colleges from the necessity of retaining unsatisfactory personnel (A.R.S. § 15-679).~~
- D. ~~Professional standards; instructors; librarians; others~~

1. ~~Instructors who work with academic matters or student affairs shall be properly certified in their major areas.~~
2. ~~Instructors for non-credit courses may be required to be certified.~~
3. ~~When a course is under a director or coordinator, he will be properly certificated. Specialists who teach under ten class hours in a course directed by a coordinator may be paid appropriate honorariums without their being certificated.~~
4. ~~Certificated personnel must hold active certificates which are registered with the appropriate official in their district to be eligible for receiving pay.~~
5. ~~Libraries shall be staffed by at least one professional librarian possessing a graduate degree in library science, or a master's degree with a major in library science (A.R.S. § 15-660).~~

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TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

PREAMBLE

1. Sections Affected:
R19-3-327
R19-3-328
- Rulemaking Action:
New Section
New Section
2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):
Authorizing statute: A.R.S. § 5-504(B)
Implementing statute: A.R.S. § 5-504(B)
3. The effective date of the rules:
October 24, 1996
4. A list of all previous notices appearing in the Register addressing the final rule:
Notice of Rulemaking Docket Opening:
2 A.A.R. 3560, August 16, 1996

Notice of Rulemaking Docket Opening:
2 A.A.R. 3694, August 23, 1996

Notice of Proposed Rulemaking:
2 A.A.R. 3837, September 6, 1996
5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
Name: Sandy Williams, Executive Director

Address: Arizona State Lottery Commission
4740 East University
Phoenix, Arizona 85034

Telephone: (602) 921-4400
6. An explanation of the rule, including the agency's reasons for initiating the rule:
R19-3-327 and R19-3-328 set forth provisions unique to the conduct of the Arizona Lottery's instant games. The provisions of these rules are necessary to implement the requirements of A.R.S. § 5-504(B) which have not been specified generically in R19-3-301. The unique provisions described in these rules are the nature and location of play symbols, the ticket number, the validation

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code, the prize denominations, and the method of selecting a winning ticket.

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
Not applicable.
8. The summary of the economic, small business, and consumer impact:
These games will provide our players with a larger variety of instant games with a potential increase in sales. The only impact these rules have upon Lottery retailers is to specify how they determine if a ticket is a winning ticket and, if so, the prize amount.
9. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):
R19-3-327(B). The pack ticket number was changed from "100001" to "500001".
10. A summary of the principal comments and the agency response to them:
No comments were received by the agency.
11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.
12. Incorporations by reference and their location in the rules:
None.
13. Was this rule previously adopted as an emergency rule?
No.
14. The full text of the rules follows:

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

ARTICLE 3. INSTANT LOTTERY GAMES

Section

R19-3-327. Frosty the Doughman
R19-3-328. Lucky Duck

ARTICLE 3. INSTANT LOTTERY GAMES

R19-3-327. Frosty the Doughman

- A. Six play symbols appear under the latex in the play area located on the right side on the front of the ticket are are 1 of the following: \$1, \$2, \$5, \$10, \$20, \$50, or \$100 with confirming captions. The play symbol captions correspond with and verify the play symbols as follows:

Play Symbols	Caption
\$1	ONEDOL
\$2	TWODOL
\$5	FIVEDOL
\$10	TENDOL
\$20	TWYDOL
\$50	FTYDOL
\$100	ONEHUND


- B. A pack-ticket number beginning with 500001 is located in the lower-left side on the back of the ticket.
- C. The retailer validation code verifies instant winners of a \$1, \$2, \$5, \$10, \$20, \$50, or \$100 winning ticket. The retailer validation code which corresponds with and verifies each of these winners is as follows:
- | | | | | | |
|-----|---|------|-----|---|-------|
| ONE | = | \$1 | TWY | = | \$20 |
| TWO | = | \$2 | FFY | = | \$50 |
| FIV | = | \$5 | ONH | = | \$100 |
| TEN | = | \$10 | | | |


- D. A prize winner in the "FROSTY THE DOUGHMAN" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 6 play symbols. Neither the retailer validation code (or any portion thereof) or the pack-ticket number (or any portion thereof), nor the validation number (or any portion thereof) are play symbols and are not usable or playable as such. If the player matches 3 like play

symbols, the player wins that prize. The prizes are as follows:

Match 3	\$1	=	\$1 (one dollar) or
Match 3	\$2	=	\$2 (two dollars) or
Match 3	\$5	=	\$5 (five dollars) or
Match 3	\$10	=	\$10 (ten dollars) or
Match 3	\$20	=	\$20 (twenty dollars) or
Match 3	\$50	=	\$50 (fifty dollars) or
Match 3	\$100	=	\$100 (one hundred dollars)

R19-3-327. "Lucky Duck"

- A. Nine play symbols which are contiguous to each other in 3 rows appear under the latex in the play area located on the right side on the front of the ticket and are 1 of the following: \$1, \$2, \$5, \$10, \$20, \$100, \$1,000, or  with confirming captions. The play symbol captions correspond with and verify the play symbols as follows:


Play Symbols	Caption
\$1	ONEDOL
\$2	TWODOL
\$5	FIVEDOL
\$10	TENDOL
\$20	TWYDOL
\$100	ONEHUND
\$1,000	ONETHOU
	DOUBLE



- B. A pack-ticket number beginning with 600001 is located in the lower-left side on the back of the ticket.
- C. The retailer validation code verifies instant winners of a \$1, \$2, \$4, \$5, \$10, \$20, or \$100 winning ticket. The retailer validation code which corresponds with and verifies each of these winners is as follows:



ONE	=	\$1	TEN	=	\$10
TWO	=	\$2	TWY	=	\$20
FOR	=	\$4	ONH	=	\$100
FIV	=	\$5			

- D. A prize winner in the "LUCKY DUCK" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 9 play symbols. Neither the retailer validation code (or any portion thereof), or the pack-ticket

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number (or any portion thereof), nor the validation number (or any portion thereof) are play symbols are are not usable or playable as such. If the ticket owner matches 3 like symbols, he or she wins that prize. If a player uncovers a , the prize is automatically doubled. The prizes are as follows:

Match 3	\$1	=	\$1 (one dollar) or
Match 3	\$1 + 	=	\$2 (two dollars) or
Match 3	\$2	=	\$2 (two dollars) or
Match 3	\$2 + 	=	\$4 (four dollars) or
Match 3	\$5	=	\$5 (five dollars) or

Match 3	\$5 + 	=	\$10 (ten dollars) or
Match 3	\$10	=	\$10 (ten dollars) or
Match 3	\$10 + 	=	\$20 (twenty dollars) or
Match 3	\$20	=	\$20 (twenty dollars) or
Match 3	\$100	=	\$100 (one hundred dollars)
Match 3	\$1,000	=	or \$1,000 (one thousand dollars)